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## ARTICLE 7.

If the high contracting parties should be unable to resolve between themselves the cases which may arise of disagreement between the respective commissions, they shall submit the same to arbitration.

## ARTICLE 8.

The detailed instructions for the commissions to commence their labors shall be agreed upon in due time, by means of a special protocol, and they shall be handed to the respective commissions, which, for this purpose, shall have assembled in the city of La Paz or in that of Puno.

In witness whereof the undersigned have set their hand and seal to the present treaty, drawn up in duplicate, in the city of La Paz, on the 23d day of September, 1902.

FELIPE DE OSMA.  
ELIODORO VILLAZOU.

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## BOLIVIA-PERU. TREATY OF ARBITRATION RESPECTING LIMITS.

*Signed, December 30, 1902.*

The president of the republic of Peru and the president of the republic of Bolivia, being desirous of settling the question of limits now pending between the two states, have for this purpose appointed as their plenipotentiaries:

His excellency the president of Peru has appointed Dr. Felipe de Osma its envoy extraordinary and minister plenipotentiary to the government of Bolivia.

And his excellency the president of the republic of Bolivia has appointed Dr. Eliodoro Villazou, the minister of foreign affairs.

These parties, after exhibiting their full powers and finding them to be in due form, have agreed, in accordance with the second clause of the general arbitration treaty of November 21 of last year, to the following:

## ARTICLE 1.

The high contracting parties submit to the judgment and decision of the government of the Argentine Republic, as arbitrator and judge of rights, the question of limits now pending between both republics, so as to obtain a definite and unappealable sentence, in virtue of which all the territory which in 1810 belonged to the jurisdiction or district of the

Ancient Audience of Charcas, within the limits of the viceroyalty of Buenos Ayres, by acts of the ancient sovereign, may belong to the republic of Bolivia; and all the territory which at the same date and by acts of equal origin belonged to the viceroyalty of Peru may belong to the republic of Peru.

#### ARTICLE 2.

The demarcation and placing of landmarks on the frontier which commences between the Peruvian provinces of Tacua and Africa and the Bolivian province of Carangas on the west, as far as the snow field of Palomani, having been arranged, that section does not form part of the present treaty.

#### ARTICLE 3.

The arbitrator, in announcing his decision, shall do so in accordance with the laws of the recompilation of the Indies, royal schedules and orders, the decrees of intendentes, the diplomatic documents relating to the demarcation of frontiers, official maps and descriptions, and in general with all the documents which may have been dictated with official character, so as to give the true and correct meaning and effect to the said royal dispositions.

#### ARTICLE 4.

Whenever the royal acts and dispositions do not define the dominion of a territory in clear terms, the arbitrator shall decide the question according to equity, keeping as near as possible to the meaning of those documents and to the spirit which inspired them.

#### ARTICLE 5.

The possession of a territory, although held by one of the high contracting parties, can not have effect nor prevail against the titles or royal dispositions setting forth the contrary.

#### ARTICLE 6.

The high contracting parties shall, as soon as the ratifications of this treaty have been interchanged, request the government of the Argentine Republic, simultaneously, and by means of their respective envoys extraordinary and ministers plenipotentiary, to accept the post of arbitrator, assume jurisdiction for the cognizance, substantiation, and decision of the controversy and to establish the mode of procedure to be followed.

## ARTICLE 7.

Within one year after advice of acceptance by the Argentine government, the aforesaid diplomatic representatives shall present their statement expressing clearly the rights of their respective states, and the documents which uphold them or upon which they are founded.

## ARTICLE 8.

The aforesaid diplomatic agents shall represent their governments in the case with all the necessary authority to receive and reply to statements, offer proofs, present and amplify briefs, provide data to enlighten the discussion of the respective rights, and, in short, to carry on the case to its conclusion.

## ARTICLE 9.

As soon as the decision is given, it shall be definitely recorded by the mere fact of it being communicated to the aforesaid envoys extraordinary and ministers plenipotentiary of the high contracting parties. From that moment the territorial delimitation shall be considered definitely and compulsorily established by right between both republics.

## ARTICLE 10.

For all that is not specially settled by this treaty, that of November 21, 1901, shall be in force.

## ARTICLE 11.

The ratifications of this treaty, after it has been duly approved and ratified by the governments and legislatures of both states, shall be interchanged at La Paz or in Lima, without the slightest delay.

In witness whereof the undersigned have set their hand and seal to the present treaty, drawn up in duplicate, in the city of La Paz, on the 30th day of December, 1902.

FELIPE DE OSMA.

ELIODORO VILLAZOU.